

Manual

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition of)	
Occidental Chemical Company for)	
Review of Central Valley Regional)	Order No. WQ 79- 25
Water Quality Control Board)	
Order No. 79-76. Our File No. A-228.)	
)	
)	

BY THE BOARD:

On March 23, 1979, the California Regional Water Quality Control Board, Central Valley Region (Regional Board) adopted Order No. 79-76 requiring Occidental Chemical Company (petitioner) to cease and desist discharging waste contrary to waste discharge requirements prescribed by the Regional Board. In addition, the Regional Board adopted a motion to refer the matter to the Attorney General for appropriate action pursuant to Section 13350 of the California Water Code.

On April 10, 1979, the petitioner filed a petition with the State Water Resources Control Board (State Board) to review Order No. 79-76 and the motion to refer the matter to the Attorney General. Petitioner also sought a stay of Order No. 79-76. On April 19, 1979, the State Board adopted Resolution No. 79-33 staying the effect of paragraph 3 of Order No. 79-76 until May 3, 1979.

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On April 27, 1979, the Regional Board adopted Order No. 79-108 which substantially modifies Order No. 79-76. The State Board, by letter dated May 8, 1979, notified the petitioner that due to the subsequent Regional Board action, the petition "no longer reflects the current status of the matter" and that the petition should be amended or withdrawn by May 30, 1979. The petitioner was advised that if the petition "is not amended or withdrawn by this date (May 30, 1979) it will be dismissed."

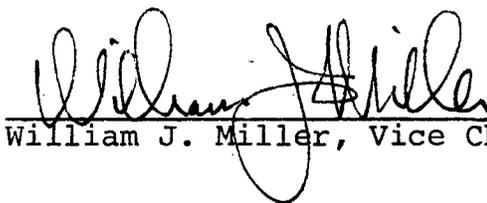
The petition for review has not been amended or withdrawn. Therefore, the petition is defective and should be dismissed.

ORDER

IT IS HEREBY ORDERED that Occidental Chemical Company's petition for review of Regional Board Order No. 79-76 and of a motion referring the matter to the Attorney General for appropriate action is dismissed.

Dated: July 5, 1979


W. Don Maughan, Chairman


William J. Miller, Vice Chairman


L. L. Mitchell, Member


Carla M. Bard, Member